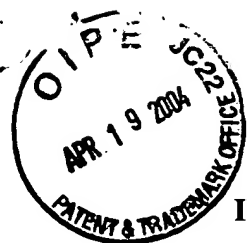


PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q55591

Jun-jin KONG, et al.

Appln. No.: 09/386,965

Group Art Unit: 2631

Confirmation No.: 1967

Examiner: PHU, PHUONG M.

Filed: August 31, 1999

For: METHOD AND APPARATUS FOR DETERMINING RATE OF DATA  
□ TRANSMITTED AT VARIABLE RATES

STATEMENT OF SUBSTANCE OF INTERVIEW

RECEIVED

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

APR 22 2004

Technology Center 2600

Sir:

Please review and enter the following remarks summarizing the interview conducted on

February 19, 2004:

REMARKS

An Examiner's Interview Summary Record (PTO-413) dated February 19, 2004, has been received by Applicant.

During the interview, the following was discussed:

1. Brief description of exhibits or demonstration: None
2. Identification of claims discussed: Claim 1
3. Identification of art discussed: USP 6,424,631
4. Identification of principal proposed amendments: None

**STATEMENT OF SUBSTANCE OF INTERVIEW**

**U.S. APP. NO. 09/386,965**

5. Brief Identification of principal arguments: It was argued that the combination of the despreaders 206 and the rate determination unit 208 of USP 6,424,631 is different from the claimed step of pre-decoding data.

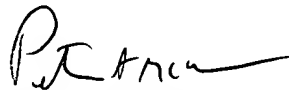
6. Indication of other pertinent matters discussed: None

7. Results of Interview: No agreement was reached

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

**It is believed that no petition or fee is required.** However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



Peter A. McKenna  
Registration No. 38,551

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: April 19, 2004